

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

AUG 03 1990

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... AUG 30 1990 under 55137The applicant..... Barrick Goldstrike Mines Inc.
P. O. Box 29, of Elko,
Street and No. or P.O. Box No. City or Town
Nevada 89801, hereby make^S application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)..... June, 1973, Colorado

1. The source of the proposed appropriation is..... Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is..... 0.75 cfs.....second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for..... Mining, Milling & Dewatering
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point..... SW¼ NW¼ of Section 29, T36N, R50E
Describe as being within a 40-acre subdivision of public
MDB&M, at a point from which the NW corner of Section 30, T36N, R50E,
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

MDB&M, bears N 76° 19' 08" W, 5807.41 feet.

6. Place of use..... SE¼ SW¼, NE¼ SE¼, S½ SE¼ Section 12; All of Section 13; SW¼ SW¼, NE¼
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

NE¼, S½ NE¼, SE¼ Section 14; NW¼ SE¼, S½ SE¼ Section 15; SE¼ NW¼, N½ SE¼, NE¼
Section 22; W½ NW¼, S½ SE¼, N½ NE¼, SW¼ NE¼ Section 23; All of Sections 24, 25,
26, T36N, R49E, MDB&M.; S½ SE¼, SW¼ Section 7; S½ S½ Section 8; All of Sections 17,
18, 19 & 20; S½ NW¼ Section 28; N½ Section 29; SE¼ SE¼, W½ E½, W½ Section 30,
T36N, R50E, MDB&M.

7. Use will begin about..... January 1.....and end about..... December 31....., of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... Well, Pipelines, And Storage Ponds.

State manner in which water is to be diverted, i.e. diversion structure, ditches andflumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... \$150,000

10. Estimated time required to construct works..... 3 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The annual consumptive use will be 176,928,786 gallons.

HIGH DESERT Engineering, Agent
By s/Robert E. Morley
Robert E. Morley
515 South Fifth Street
Elko, Nevada 89801

Compared bc/am am/se

Protested 12/28/90 by: Eureka County;

Pro. wdr. 7/9/91

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to the water management plan and water management plan addendum among Barrick Goldstrike Mines, Inc.; Newmont Gold Company; and T S Ranch Joint Venture dated May 1, 1989.
(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.75 cubic feet per second, but not to exceed 176.9 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 14, 1992

Proof of completion of work shall be filed on or before February 14, 1992

Application of water to beneficial use shall be made on or before January 14, 1992

Proof of the application of water to beneficial use shall be filed on or before February 14, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed FEB 28 1992

Proof of beneficial use filed MAR 04 1993

Cultural map filed

Certificate No. 15264 Issued AUG 17 1999

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 10th day of September

A.D. 1991

[Signature]
State Engineer

Port Abrogated By 57054 T 0.3 exp 2-6-93

Port Abrogated By 57234 0.3 cts
Port 71690 0.45

(PERMIT TERMS CONTINUED)

This permit will allow for the dewatering of the pit area. Any water obtained as a result of this dewatering operation shall be used first by the permittee for mining, milling, heap leaching, drilling, road watering and other related mining and milling uses herein after referred to as mining and milling uses within the described place of use on this permit and by Newmont Gold Company for the same purposes stated above at what is known as the No. 4 Mill.

Any water not used for mining and milling purposes shall be utilized by the T S Ranch on land for irrigation use presently described under the place of use under Permits 16951, Certificate 5605; 16952, Certificate 5606; 28966, Certificate 10226; 28967, Certificate 10227; 29952, Certificate 10043; 29953, Certificate 10044; 30240, Certificate 10046; 30241, Certificate 10047; 30242, Certificate 10048; 30253, Certificate 10229; 30849, Certificate 10057; 31288, 31289, 34766, 34767, 34768, 34769, 34770, 34771, 34772, 34773, 36020, 36021, 36022, 36023, 36024, 52941, 52942, 52943, 52944, 52945, 52946, 52947, 52948, 52949 and 52950 or any subsequent changes of the place of use of these rights. The intent in the interests of the best and most efficient management of the resource is to substitute water from dewatering of the pit area for water presently authorized to be withdrawn from the Boulder Flat Groundwater Basin under the above described permits.

This water will be stored in a storage reservoir for use on the lands of the T S Ranch. The construction of this storage reservoir will require that the parties of the plan obtain all of the necessary permits for such construction. This storage reservoir shall be constructed prior to the time that the volume of water from the dewatering project exceeds the volume of water required for mining and milling purposes for both the permittee and Newmont's No. 4 Mill.

Any water from this dewatering operation shall not be discharged to any natural drainages or man-made drainages.

The parties to the water management plan mentioned above shall submit a monitoring plan to the State Engineer within three months after the issuance of this permit. This plan must address all aspects of potential impacts resulting from the dewatering of the pit area. The State Engineer retains the right to require the parties of the plan to cooperate in the funding of a hydrology study to be conducted by an independent third party.

The State Engineer retains the right to regulate the pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

The total combined duty of water under Permits 37985, Certificate 10592; 50304; 50306; 50834; 51071; 51531; 51740; 51741; 51742; 51743; 51744; 52032; 52033; 53401; 53403; 54915-T; 54916-T; 54917-T; 54918-T; 54920-T; 54921-T; 54922-T; 54923-T; 54926; 54927; 54928; 55137, 55138, 55139, 55140, 55141, 55142, 55143, 55144, 55145, 55146, 55147, 55148, 55149, 55150, 55423-T; 55424-T, 55425-T, 55466-T, 55467-T, 55518-T, 55519-T, 55520-T, 55521-T, 55522-T, 55523-T, 55524-T, 55694-T, 55695-T, 55696-T, 55697-T, 55698-T, 55699-T, 55700-T, 55701-T, 55702-T, 55703-T and 55704-T shall not exceed 2238 million gallons annually for mining and milling purposes.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands. The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

Any water not used for mining and milling purposes may be utilized: to address water right impairment, if any, resulting from the diversion of water pursuant to the Barrick Applications; to satisfy water use and water management requirements, if any, resulting from actions taken by other governmental agencies; to reinject or infiltrate water; to replace existing authorized ground water withdrawals; and to save other beneficial uses that would not adversely impact other water rights. The authorized uses under this permit are subject to the terms and provisions of that "Stipulation, Settlement Agreement and Withdrawal of Protest" between Barrick or it's successors and Eureka County dated July 5, 1991.

This water may be diverted to storage and/or discharge through the reservoir constructed under Dam Application J-320. Rights to place such water to use for consumptive or non-consumptive purposes shall be provided under Primary Permit 55272 and any secondary permits issued thereunder.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount pumped from each well, the amount used for mining and milling purposes and the amount of water diverted to storage in the reservoir.

This permit is subject to the "Boulder Valley Monitoring Plan" previously approved by the State Engineer on April 10, 1991.

AMENDED

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office AUG 03 1990

Returned to applicant for correction.....

Corrected application filed..... SEP 19 1990Map filed..... SEP 19 1990The applicant Barrick Goldstrike Mines Inc.P. O. Box 29, of Elko,
Street and No. or P.O. Box No. City or TownNevada 89801, hereby make application for permission to appropriate the public
State and Zip Code No.waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.) June, 1973, Colorado1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source2. The amount of water applied for is 10.00 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for Mining, Milling & Dewatering
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, T36N, R49E,
Describe as being within a 40-acre subdivision of publicMDB&M, at a point from which the NE corner of said Section 24, bears N 33° 49'
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.24" E, 4779.65 feet.6. Place of use SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 12; All of Section 13; SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 14; NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 15; SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ Section 22;W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23; All of Sections 24, 25, 26, T36N, R49E,MDB&M., S $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 7; S $\frac{1}{2}$ S $\frac{1}{2}$ Section 8; All of Sections 17, 18, 19 & 20; S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 28; N $\frac{1}{2}$ Section 29; SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$ Section 30, T36N, R50E, MDB&M.7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Well, Pipelines, And Storage Ponds.State manner in which water is to be diverted: i.e. diversion structure, ditches and
flumes, drilled well with pump and motor, etc.9. Estimated cost of works \$150,000

10. Estimated time required to construct works.....3 years.....
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....5 years.....

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The annual consumptive use will be 2,359,050,480 gallons.

Compared bc/ am am/se
By HIGH DESERT Engineering, Agent
s/Robert E. Morley
Robert E. Morley
515 South Fifth Street
Elko, Nevada 89801

Protested 12/7/90 by: Eureka County

Pro. wdr. 2/8/91

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. A totalizing meter must be installed and maintained in the pipeline near the point of diversion and accurate measurements must be kept of water diverted. The totalizing meter must be installed before any diversion of water begins, or before the Proof of Completion of Work is filed.

This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the rights to regulate the diversion and use of the water herein granted at any and all times. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights. This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands. The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 10 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before April 19, 1993

Proof of completion of work shall be filed on or before May 19, 1993

Application of water to beneficial use shall be made on or before April 19, 1996

Proof of the application of water to beneficial use shall be filed on or before May 19, 1996

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed Statc Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of April

Cultural map filed A.D. 19 91

Certificate No. Issued State Engineer

Port 58546 3.0 cent 2-27-98
Assigned By 58547 3.0 cent 2-27-98